

STATE OF IOWA
BOARD OF EDUCATIONAL EXAMINERS
Grimes State Office Building – 400 East 14th Street
Des Moines, Iowa 50319-0147

Minutes

April 5, 2007

The Board of Educational Examiners held its monthly meeting on April 5, 2007. Board Chair Judy Jeffrey called the meeting to order. Members attending were John Aboud, Ying Ying Chen, Tammy Duehr, William Haigh, Jeffrey Henderson, Judy Jeffrey, Thomas Paulsen, Greg Robinson, Jean Seeland, and Bev Smith. Also in attendance were Dr. George Maurer, Executive Director of the Board and Christie Scase, Assistant Attorney General. Jacqueline Wellborn was unable to attend the meeting.

John Aboud moved, with a second by Bev Smith, that the Board go into closed session for the purposes of discussing whether to initiate licensee disciplinary proceedings and discussing the decision to be rendered in a contested case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). **MOTION CARRIED UNANIMOUSLY.**

Ying Ying Chen moved, with a second by William Haigh, that in **case number 06-20**, In the Matter of: David Clark, the Board accept the Respondent's waiver of hearing and voluntary surrender and that the Board issue an order permanently revoking the Respondent's license with no possibility of reinstatement. Roll call vote: Aboud – yes; Chen – yes; Duehr – yes; Haigh – yes; Henderson – yes; Jeffrey – recuse; Paulsen – yes; Robinson – yes; Seeland – yes; and Smith – yes. **MOTION CARRIED UNANIMOUSLY.**

William Haigh moved, with a second by Ying Ying Chen, that in **case number 06-23**, In the Matter of: Christian Cedric Ehrhardt, the Board accept the stipulation and settlement submitted by the parties, and issue an order

1 incorporating the agreement of the parties and imposing the agreed upon
2 sanction. Roll call vote: Aboud – yes; Chen – yes; Duehr – yes; Haigh – yes;
3 Henderson – yes; Jeffrey – yes; Paulsen – yes; Robinson – yes; Seeland – yes; and
4 Smith – yes. **MOTION CARRIED UNANIMOUSLY.**

5
6 Ying Ying Chen moved, with a second by William Haigh, that in **case number**
7 **06-22**, In the matter of: Susie Peterson, the Board accept the stipulation and
8 settlement submitted by the parties, and issue an Order incorporating the
9 agreement of the parties and imposing the agreed-upon sanction. Roll call vote:
10 Aboud – no; Chen – yes; Duehr – yes; Haigh – yes; Henderson – yes; Jeffrey –
11 yes; Paulsen – yes; Robinson – yes; Seeland – yes; and Smith – yes. **MOTION**
12 **CARRIED.**

13
14 William Haigh moved, with a second by Ying Ying Chen, that in **case number**
15 **06-29**, In the Matter of: Rick D. Janssen, the Board accept the stipulation and
16 settlement submitted by the parties, and issue an order incorporating the
17 agreement of the parties and imposing the agreed upon sanction. Roll call vote:
18 Aboud – yes; Chen – yes; Duehr – yes; Haigh – yes; Henderson – yes; Jeffrey –
19 yes; Paulsen – yes; Robinson – yes; Seeland – yes; Smith – yes. **MOTION**
20 **CARRIED UNANIMOUSLY.**

21
22 Ying Ying Chen moved, with a second by William Haigh, that in **case number**
23 **06-32**, In the Matter of: Lewis Central Community Schools v. Mark Henderson,
24 the Board acknowledge the local settlement submitted by the parties and issue
25 an order imposing the sanction agreed upon by the Board. Roll call vote: Aboud
26 – yes; Chen – yes; Duehr – yes; Haigh – yes; Henderson – yes; Jeffrey – yes;
27 Paulsen – yes; Robinson – yes; Seeland – yes; and Smith – yes. **MOTION**
28 **CARRIED UNANIMOUSLY.**

29
30 William Haigh moved, with a second by Jeffrey Henderson, that in **case number**
31 **06-12/14**, In the Matter of: Jamie Morris, the Board reject the request to
32 present additional evidence and issue an order stating the reason for the
33 rejection, and establish a schedule for submission of briefs on appeal from

1 proposed decision. Roll call vote: Aboud – yes; Chen – recuse; Duehr – yes;
2 Haigh – yes; Henderson – yes; Jeffrey – yes; Paulsen – yes; Robinson – recuse;
3 Seeland – yes; and Smith – yes. **MOTION CARRIED.**

4
5 Ying Ying Chen moved, with a second by William Haigh, that in **case number**
6 **06-43**, the Board find that the evidence gathered in the investigation, including
7 witness statements and the documentary evidence, does not corroborate the
8 allegations in the complaint, and that the Board therefore lacks probable cause
9 to proceed with this matter. Roll call vote: Aboud – yes; Chen – yes; Duehr –
10 yes; Haigh – yes; Henderson – yes; Jeffrey – yes; Paulsen – yes; Robinson – yes;
11 Seeland – yes; and Smith – absent. **MOTION CARRIED UNANIMOUSLY.**

12
13 William Haigh moved, with a second by Ying Ying Chen, that in **case number**
14 **06-44**, the Board find that the evidence gathered in the investigation, including
15 witness statements and the documentary evidence, does not corroborate the
16 allegations in the complaint, and that the Board, therefore, lacks probable
17 cause to proceed with this matter. Roll call vote: Aboud – yes; Chen – yes;
18 Duehr – yes; Haigh – yes; Henderson – yes; Jeffrey – recuse; Paulsen – yes;
19 Robinson – yes; Seeland – yes; and Smith – absent. **MOTION CARRIED**
20 **UNANIMOUSLY.**

21
22 Ying Ying Chen moved, with a second by William Haigh, that in **case number**
23 **06-45**, the Board find that the evidence gathered in the investigation, including
24 witness statements and the documentary evidence, does not corroborate the
25 allegations in the complaint, and that the Board, therefore, lacks probable
26 cause to proceed with this matter. Roll call vote: Aboud – yes; Chen – yes;
27 Duehr – yes; Haigh – yes; Henderson – yes; Jeffrey – yes; Paulsen – yes;
28 Robinson – yes; Seeland – yes; and Smith – yes. **MOTION CARRIED**
29 **UNANIMOUSLY.**

30
31 William Haigh moved, with a second by Ying Ying Chen, that in **case number**
32 **06-46**, the Board find probable cause to establish a violation of the following
33 provisions of the Code of Professional Conduct and Ethics, 282 IAC 25.3(6)(d)

1 and order this case set for hearing. Roll call vote: Aboud – yes; Chen – yes;
2 Duehr – yes; Haigh – yes; Henderson – yes; Jeffrey – yes; Paulsen – yes;
3 Robinson – yes; Seeland – yes; and Smith – yes. **MOTION CARRIED**
4 **UNANIMOUSLY.**

5
6 William Haigh moved, with a second by Ying Ying Chen, that in **case number**
7 **07-01**, the Board return the complaint and investigative report to the
8 investigator to gather further information regarding subsequent allegations and
9 return the case to the Board for further consideration. Roll call vote: Aboud –
10 yes; Chen – yes; Duehr – yes; Haigh – yes; Henderson – yes; Jeffrey – yes;
11 Paulsen – yes; Robinson – yes; Seeland – yes; and Smith – yes. **MOTION**
12 **CARRIED UNANIMOUSLY.**

13
14 Ying Ying chen moved, with a second by William Haigh, that in **case number**
15 **07-02**, the Board find probable cause to establish a violation of the following
16 provisions of the Code of Professional Conduct and Ethics, 282 IAC 25.3(6)(c)
17 and (d), 25.3(8)(a) and (b) and order this case set for hearing. Roll call vote:
18 Aboud – yes; Chen – yes; Duehr – yes; Haigh – yes; Henderson – yes; Jeffrey –
19 yes; Paulsen – yes; Robinson – yes; Seeland – yes; and Smith – yes. **MOTION**
20 **CARRIED UNANIMOUSLY.**

21
22 William Haigh moved, with a second by Ying Ying Chen, that in **case number**
23 **07-03**, the Board find probable cause to establish a violation of the following
24 provisions of the Code of Professional Conduct and Ethics, 282 IAC 25.3(5)(a)(3)
25 and order this case set for hearing. Roll call vote: Aboud – yes; Chen – yes;
26 Duehr – yes; Haigh – yes; Henderson – yes; Jeffrey – yes; Paulsen – yes;
27 Robinson – yes; Seeland – yes; and Smith – yes. **MOTION CARRIED**
28 **UNANIMOUSLY.**

29
30 Ying Ying Chen moved, with a second by William Haigh, that in **case number**
31 **06-41**, the Board extend the 180-day deadline for issuance of the final decision
32 based on the need for additional materials to be gathered from the parties.
33 **MOTION CARRIED UNANIMOUSLY.**

1
2 Jean Seeland moved, with a second by Greg Robinson, to approve the March 7,
3 2007, minutes, as distributed. **MOTION CARRIED UNANIMOUSLY.**

4
5 John Aboud moved, with a second by Jeffrey Henderson, to file under Notice of
6 Intended Action, the proposed change to Chapter 14 regarding Applicants from
7 Foreign Institutions. **MOTION CARRIED UNANIMOUSLY.**

8
9 The Board decided to move the Chapter 14 discussion item regarding
10 Mathematics, the Chapter 20 discussion item regarding the renewal of the
11 evaluator endorsement, the Chapter 14 Business discussion item, and the
12 Chapter 1 Organization and method of operation discussion item forward to the
13 next board meeting for noticing. The discussion item of Chapter 19 Coaching
14 was moved forward to noticing for the next meeting with changes. The Board
15 requested more changes for Chapter 14 administrator license and the
16 Requirements for removal of an endorsement and that these items be put back
17 on as discussion items at the next meeting.

18
19 The Board voted to adopt the BoEE Operating Guidelines to include the
20 changes discussed at the meeting. Beth Myers, consultant, updated the Board
21 regarding the status of the board membership bill. She stated that it had
22 passed the House and had passed out of the Education Committee in the
23 Senate. Currently the bill is waiting to come to the floor of the Senate. The
24 board received handouts summarizing the Teacher Shortage Task Force.
25 Several comments were made and a full discussion was deferred to the retreat.

26
27 John Aboud moved, with a second by Jean Seeland, that in **PFW 07-03**,
28 Charles E. Hardin, the Board deny the Petition for Waiver. **MOTION CARRIED**
29 **UNANIMOUSLY.**

30
31 Jean Seeland moved, with a second by Jeffrey Henderson, that in **PFW 07-04**,
32 Jeff Dicks, the Board grant the Petition for Waiver with stipulations. **MOTION**
33 **CARRIED UNANIMOUSLY.**

1 Greg Robinson moved, with a second by Bev Smith, that in **PFW 07-05**, Jill
2 Bryson, the Board deny the Petition for Waiver. **MOTION CARRIED**
3 **UNANIMOUSLY.**

4

5 There being no further business, Board Chair Judy Jeffrey adjourned the
6 meeting at 2:00 p.m.

7